

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

DANDAN ZHANG,

Plaintiff,

v.

ALEJANDRO MAYORKAS et al.,

Defendants.

Case No. 2:24-cv-05849-SB-PD

ORDER TO SHOW CAUSE

Plaintiff filed this case on July 11, 2024. Dkt. No. 1. On July 17, 2024, the Court issued an order titled “Notice to Self-Represented Litigant” that explained the service requirements for prosecuting a case against the government and set a status conference for August 16, 2024, at 8:30 a.m. in Courtroom 6C, with a report on the progress of service due by August 9, 2024. Dkt. No. 7. Plaintiff failed to file her report. Plaintiff further failed to appear at the status conference on August 16. Federal Rule of Civil Procedure 16 requires parties to appear at conferences ordered by the Court and grants the Court authority to sanction parties for failure to appear. Fed. R. Civ. P. 16(a), (f).

Moreover, this complaint in this case appears to be materially identical to the complaint Plaintiff filed earlier this year in Case. No. 5:24-cv-00117-JGB-SHK, which was dismissed with prejudice pursuant to a stipulation of the parties on April 17, 2024. A dismissal with prejudice prevents the dismissed claims from being reasserted. *See In re Marino*, 181 F.3d 1142, 1144 (9th Cir. 1999) (“There can be little doubt that a dismissal with prejudice bars any further action between the parties on the issues subtended by the case.”).

Accordingly, Plaintiff no later than August 30, 2024 is ordered to show cause in writing (1) why this case should not be dismissed with prejudice based on the prior dismissal with prejudice of the same claims and (2) why Plaintiff should not be sanctioned for failing to file the status report as ordered by the Court and for

failing to appear at the August 16, 2024 status conference. Failure to timely respond to this order to show cause will be deemed consent to the dismissal of Plaintiff's claims with prejudice.

Date: August 16, 2024

A handwritten signature in black ink, appearing to read 'JBS', is positioned above a horizontal line.

Stanley Blumenfeld, Jr.  
United States District Judge